

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

UNADA (HK) LTD,

Plaintiff,

v.

EC DRIVES, LLC and SPM (UK) LIMITED,

Defendants.

Civil Action No.: 1:18-cv-11638-PBS

JURY TRIAL DEMANDED

**SECOND JOINT MOTION TO EXTEND DEADLINES  
REGARDING NEUTRAL EXPERT EVALUATION**

On February 14, 2018 the Court granted the Parties' Joint Motion to Extend Deadlines Regarding Neutral Expert Evaluation prescribing a neutral expert evaluation of the motors at issue in this lawsuit. (Order; ECF No. 43.) The Parties' requested a three-week extension of the original deadlines due to unforeseen delays in obtaining samples of the relevant motors for review by the neutral expert selected by the Parties. (Joint Mot. 1-2, ECF No. 1.)

The Parties now respectfully request a second three-week extension of the relevant deadlines for two reasons. First, the Parties are engaged in settlement discussions and are preparing to exchange a draft written settlement agreement. Second, despite the Parties' good faith attempts to resolve discovery disputes central to the neutral expert's evaluation, the Parties have been unable to resolve one issue and the Plaintiff has requested the Court's intervention. (Pl.'s Mot. Compel, ECF No. 46.) Because the deadline for Defendants' response to Plaintiff's Motion to Compel falls three days before the current deadline for the Parties to submit their opening briefs to the neutral expert and such briefs would be affected by the outcome of

Plaintiff's Motion to Compel or obviated entirely by a settlement agreement, the Parties jointly and respectfully request that the Court extend the current deadlines by three weeks as follows:

| <b>Event</b>   | <b>Original Deadline</b>  | <b>Current Deadline</b>   | <b>Proposed New Deadline</b> |
|--|---|---------------------------|------------------------------|
| Submission of opening briefs to the neutral expert         | February 22, 2019   | March 15, 2019            | April 5, 2019                |
| Submission of responsive briefs to the neutral expert      | March 22, 2019  | April 12, 2019            | May 3, 2019                  |
| Hearing between the parties and before the neutral expert  | On or before April 26, 2019   | On or before May 17, 2019 | On or before June 7, 2019    |
| Neutral expert issues report                               | Within thirty days of the hearing   | (No change)               | (No change)                  |
| Parties' objections to report                              | Within fourteen days of the issuance of the expert's report                                       | (No change)               | (No change)                  |
| Expert's response to objections/issuance of revised report | Within fourteen days of receipt of the parties' objections  | (No change)               | (No change)                  |
| Parties' Joint Notice to Court                             | Within fourteen days of the issuance of the expert's report or revised report, whichever is later | (No change)               | (No change)                  |

Accordingly, the Parties jointly and respectfully request that the Court extend the current deadlines for the neutral expert evaluation as set forth above.

Respectfully submitted,

Dated: February 26, 2019

/s/Anderson J. Duff

Anderson J. Duff (BBO #687154)  
REVISION LEGAL, PLLC  
244 5th Ave. Ste. 2230  
New York, NY 10001  
(t) 212.996.4103 (f) 212.996.5863  
[anderson@revisionlegal.com](mailto:anderson@revisionlegal.com)

John Di Giacomo (*pro hac vice*)  
REVISION LEGAL, PLLC  
444 Cass St. Ste. D  
Traverse City, MI 49684  
(t) 231.714.0100 (f) 231.714.0200  
[john@revisionlegal.com](mailto:john@revisionlegal.com)

*Attorneys for Plaintiff Unada (HK) Ltd.*

/s/Brian M. Gaff

Brian M. Gaff (BBO #642297)  
Chet Campbell (BBO #688190)  
FISH & RICHARDSON P.C.  
One Marina Park Drive  
Boston, MA 02210-1878  
(617) 542-5070 Fax (617) 542-8906  
[gaff@fr.com](mailto:gaff@fr.com)  
[cycampbell@fr.com](mailto:cycampbell@fr.com)

Jayme Partridge (*pro hac vice*)  
Caitlin M. Dean (*pro hac vice*)  
FISH & RICHARDSON P.C.  
1221 McKinney Street, Suite 2800  
Houston, TX 77010-2026  
(713) 654-5300 Fax (713) 652-0109  
[partridge@fr.com](mailto:partridge@fr.com)  
[cdean@fr.com](mailto:cdean@fr.com)

*Attorneys for Defendants EC Drives, LLC  
and SPM (UK) Limited*

IT IS SO ORDERED,

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Patti B. Saris  
United States Chief District Judge

**CERTIFICATE OF SERVICE PURSUANT TO LOCAL RULE 5.2(B)**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 27, 2019.

/Anderson J. Duff/